

**COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF TELECOMMUNICATIONS AND ENERGY**

Bay State Gas Company

)
)
)
D.T.E. 06-7

**INSTRUCTIONS FOR ALL ATTORNEY GENERAL'S DISCOVERY
ISSUED TO THE COMPANY IN THIS PROCEEDING**

1. These Document and Information Requests call for all information, including information contained in documents, which relates to the subject matter of the requests and which is known or available to Bay State Gas Company or to any individual or entity sponsoring testimony or retained by the Company to provide information, advice, testimony or other services in connection with this proceeding.
2. Where a Request has a number of separate subdivisions or related parts or portions, a complete response is required to each such subdivision, part, or portion. Any objection to a Request should clearly indicate the subdivision, part, or portion of the Request to which it is directed.
3. If information requested is not available in the exact form requested, provide such information or documents as are available that best respond to the Request.
4. These requests are continuing in nature and require supplemental responses when further or different information with respect to the same is obtained.
5. Each response should be furnished on a separate **DATED** page headed by the individual Request being answered. Individual responses of more than one page should be stapled or bound and each page consecutively numbered.
6. Each Document and Information Request to "Please provide all documents..." or similar phrases includes a request to "identify" all such documents. "Identify" means to state the nature of the document, the date on which it was prepared, the subject matter and the titles and the names and positions of each person who participated in the preparation of the document, the addressee and the custodian of the documents. To the extent that a document is self-identifying, it need not be separately identified.

7. For each document produced or identified in a response which is computer generated, state separately (a) what types of data, files, or tapes are included in the input and the source thereof, (b) the form of the data which constitutes machine input (e.g., punch cards, tapes), (c) a description of the recording system employed (including descriptions, flow charts, etc.), and (d) the identity of the person who was in charge of the collection of input materials, the processing of input materials, the data bases utilized, and the programming to obtain the output.
8. If a Document and Information Request can be answered in whole or part by reference to the response to another Request served in this proceeding, it is sufficient to so indicate by specifying the other Request by participant and number, by specifying the parts of the other response which are responsive, and by specifying whether the response to the other Request is a full or partial response to the instant Request. If it constitutes a partial response, the balance of the instant Request must be answered.
9. If the Company cannot answer a Request in full, after exercising due diligence to secure the information necessary to do so, state the answer to the extent possible, state why the Company cannot answer the Request in full, and state what information or knowledge is in the Company's possession concerning the unanswered portions.
10. If, in answering any of these Document and Information requests, you feel that any Request or definition or instruction applicable thereto is ambiguous, set forth the language you feel is ambiguous and the interpretation you are using responding to the Request.
11. If a document requested is no longer in existence, identify the document, and describe in detail the reasons the document is unavailable.
12. Provide copies of all requested documents. A response which does not provide the Attorney General with the responsive documents, and requests the Attorney General to inspect documents at any location is not responsive.
13. If you refuse to respond to any Document and Information Request by reason of a claim or privilege, or for any other reason, state in writing the type of privilege claimed and the facts and circumstances you rely upon to support the claim of privilege or the reason for refusing to respond. With respect to requests for documents to which you refuse to respond, identify each such document.
14. Each request for information includes a request for all documentation which supports the response provided.
15. Provide four (4) copies of each response and two (2) copies of all bulks.

16. The term "Company" refers to Bay State Gas Company. Unless the request specifically provides otherwise, the term Company includes all witnesses, representatives, employees, and legal counsel.
17. Please furnish each response on a separate sheet of paper, beginning with a restatement of the question.

**ATTORNEY GENERAL'S FIRST SET OF
INFORMATION AND DOCUMENT REQUESTS**

- AG-1-1 Please provide copies of all existing, proposed, and expired contracts between Bay State (and/or any Bay State affiliates) and Northeast Gas Association (NEA) (and/or any of its affiliates). Include copies of the original contracts and all amendments for all existing, proposed, and expired contracts.
- AG-1-2 Please provide copies of all existing, proposed, and expired contracts between Bay State (and/or any Bay State affiliates) and Florida Light and Power (and/or any of its affiliates). Include copies of the original contracts and all amendments for all existing, proposed, and expired contracts.
- AG-1-3 If Bay State made any capital investments related to serving the NEA Cogeneration Facility, please provide the details supporting the amount that Bay State has included in the most recently approved (DTE 05-27) base rates.
- AG-1-4 Refer to Exhibit FCD-7. Please provide the all-in cost (\$/MMbtu) of the NEA contract supply delivered to Bay State's Citygate. Include all the pricing details, supporting calculations, work papers, and assumptions.
- AG-1-5 Refer to Exhibits FCD-11, page 17. Please explain the meaning of data on the line for "NEA" and how each entry on the line was calculated. Provide all supporting calculations, work papers and assumptions. The response should explain how the price elements provided in response to the previous data request are incorporated in the SENDOUT model analysis.
- AG-1-6 Refer to Exhibit FCD-10, page 17. Please explain the meaning of the data on the line for the "combined bidders" and how each entry on the line for "combined bidders" was calculated. Provide all supporting calculations, work papers, and assumptions.
- AG-1-7 Refer to Exhibits FCD-10 and 11, page 17. Please explain the differences in data listed in the Average Commodity Cost Column in Exhibits FCD-10 and 11.

- AG-1-8 Refer to Exhibit FCD-10 and 11, pages 16 and 17. Please explain the meaning of the column “Surplus” and how the amounts were determined in this column.
- AG-1-9 Does the Company consider the contract between the Company and NEA governing Bay State’s acquisition of incremental capacity and supply a take or pay contract? Please explain.
- AG-1-10 Refer to Exhibit BSG-1, pages 7-8. Does the proposed agreement assign the DTI and Transco capacity to Bay State? Under what conditions would Bay State accept the assignment of the DTI and Transco capacity? Would Bay State’s acceptance of the assignment of the DTE and Transco capacity increase customer costs? If yes, please provide estimates of the increase in costs. Include all supporting calculations, work papers, and assumptions.
- AG-1-11 Refer to Exhibits FCD-10 and FCD-11. Please provide the results of this analysis incorporating a design winter demand rather than a normal winter demand. Explain and analyze all input and output differences.
- AG-1-12 When and under what conditions does the Company first need incremental supplies under the Company’s most recently approved resource supply plan? What is the initial amount of the shortfall and which of the Company’s operating divisions are affected? Provide copies of the section of the plan or Department Order that supports the response to AG-1-12.
- AG-1-13 Please provide copies of all documents relating to the request for proposals (“RFP”) associated with the Company’s competitive solicitation process to procure gas supply in this matter, D.T.E. 06-7. Include copies of all the initial request letter(s) sent to each bidder, any updates in those letters, original RFPs, modification or amendments to the RFPs, and any responses sent by the RFP recipients to the Company. Include in this response all evaluations, studies, reports, correspondence, e-mails, notes, presentation materials, and work papers related to the RFP response.
- AG-1-14 Please describe any RFP pre-bid conference that took place to allow RFP recipients an opportunity to ask questions about the RFP and describe any other opportunities that allowed recipients to receive clarification of the Company’s terms and objectives stated in the RFP.
- AG-1-15 See Exhibit BSG-1 page 16-17. Please provide a detailed explanation of the the evaluation process that the company used to evaluate the nine proposals it received from the final bidders to the RFP.